

### Remarks/Arguments

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed April 21, 2006. Claims 19-35 are rejected.

In this Amendment, claims 19 and 25 have been amended. It is respectfully submitted that the amendment does not add new matter.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

The Examiner has rejected claims 19-35 under 35 U.S.C. §102(e) as being anticipated by Raymond et al. (USPN 6,108,697).

Independent claims 19 and 25, as amended, recite boot logic to respond to a boot signal by broadcasting the request to restore the server payload, the boot signal in response to detecting a need for restoring the server payload.

With respect to this limitation, the Examiner states:

Raymond taught that the transmission of the “boot logic”/restore images is initiated by the request (boot signal) from the downloading computer (refer to Col 9, lines 1-15).  
(Office Action dated 04/21/06, p. 6)

In the cited portions, Raymond reads as follows:

The transmitter 204 transmits repetitions of a data stream signal containing the disk image data provided by the image obtainer 206. Data stream formats are discussed below in connection with FIG. 5 and elsewhere. In one embodiment, the transmitter 204 includes an agent 224, a loop handler 226, and a dynamic speed monitor 228. In alternative embodiments, the agent 224 and/or the speed monitor 228 are omitted. Transmission may be initiated in response to commands from a user interface, or transmission may be started automatically by the agent 224 in response to a request from one or more downloading computers 202. Interrupts, UNIX-style signals, remote procedure calls, remote message interfaces, events, and other familiar mechanisms may be used to request or require that the agent 224 initiate transmission.

(Raymond, col. 9, lines 1-15) (emphasis added).

Thus, Raymond discloses that transmission of a data stream signal containing the disk image data may be initiated in response to commands from a user interface or in response to a request from a downloading computer. Raymond does not teach or suggest a "boot signal" as claimed.

Therefore, Raymond does not anticipate independent claims 19 and 25, and associated dependent claims.

Applicants respectfully submit that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Lester J. Vincent at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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